

IN THE COURT OF APPEALS OF IOWA

No. 9-343 / 08-1575

Filed May 29, 2009

**IN RE THE MARRIAGE OF YEHOSHUA ZELIG ARONOW
AND RISE CAROL ARONOW**

**Upon the Petition of
YEHOSHUA ZELIG ARONOW,**

Petitioner-Appellant,

And Concerning

RISE CAROL ARONOW,

Respondent-Appellee.

Appeal from the Iowa District Court for Allamakee County, Todd A. Geer,
Judge.

A father appeals from an order concerning modification of custody,
visitation, child and spousal support, and contempt. **AFFIRMED.**

Barry S. Kaplan and Melissa A. Nine of Kaplan, Frese & Nine, L.L.P.,
Marshalltown, for appellant.

Robert L. Day, Jr. of Day & Hellmer, P.C., Dubuque, for appellee.

Considered by Vaitheswaran, P.J., and Potterfield and Doyle, JJ.

DOYLE, J.

The parties have been involved almost continuously in litigation, including contempt actions, appeals, and modifications, since their separation in 2005. This is the fourth time this case comes before us. The great acrimony between these parents and their long history of conflict is well chronicled in our previous opinions. See *In re Marriage of Aronow*, No. 07-1873 (Iowa Ct. App. June 25, 2008); *In re Marriage of Aronow*, No. 06-0195 (Iowa Ct. App. July 12, 2007); *In re Marriage of Aronow*, No. 05-1749 (Iowa Ct. App. Oct. 25, 2006). It would serve no purpose to repeat it here. The issues presented in the current appeal are modification of physical custody, visitation, child and spousal support, contempt, and attorney fees.

After thoroughly reviewing the record and the parties' arguments, we find the district court's order of August 25, 2008, to be right on the mark. The district court's order identifies and considers all the issues presented, and we approve of the reasons and conclusions in the order. We affirm pursuant to Iowa Rule of Appellate Procedure 6.24(1).

Zelig requests an award of appellate attorney fees. Appellate attorney fees are not a matter of right, but rather rest in this court's discretion. *In re Marriage of Sullins*, 715 N.W.2d 242, 255 (Iowa 2006). In arriving at our decision, we consider the parties' needs, ability to pay, and the relative merits of the appeal. *Id.* Applying these factors to the circumstances in this case, we conclude Zelig is not entitled to an award of appellate attorney fees. The costs of this appeal are taxed to Zelig.

AFFIRMED.